

# City of Willoughby Hills

## ORDINANCE NO. 2020-20

**AN ORDINANCE REPEALING AND RESCINDING ORDINANCE NO. 2017-63 AS AMENDED, ORDINANCE NO. 2018-42 AND IN LIEU THEREOF ENACTING ORDINANCE NO. 2020-20 ESTABLISHING REGULATIONS FOR THE OPERATION, SECURITY AND SAFETY OF THE MAPLE GROVE GRANGE LOCATED AT 2454 RIVER ROAD, WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.**

**WHEREAS**, in 2008 the City purchased the property known as the Maple Grove Grange with a mailing address of 2454 River Road, situated in the City of Willoughby Hills, County of Lake, State of Ohio; and

**WHEREAS**, the City entered into a real estate purchase agreement for the purchase of the abovementioned property for an agreed upon price of one hundred (\$100.00) dollars; including tax, title and delivery the cost of acquisition was approximately twenty-five hundred (\$2500) dollars; and

**WHEREAS**, Section 941.01 – Premises available for private recreation and civic purposes provides that the following realty owned or leased by the City may be used for recreational or for other civic purposes by private groups or residents: (a) Campbell Park, (b) Roemisch Fields and (c) Willoughby Hills Community Center; and

**WHEREAS**, the use and rental of Campbell Park, Roemisch Fields and the Willoughby Hills Community Center are subject to the rules, regulations and policy procedures as established and administered by the Mayor; and

**WHEREAS**, the Maple Grove Grange has not been identified as realty owned or leased by the City to be used recreational or for other civic purposes by private groups or residents; and

**WHEREAS**, the Mayor has not previously established formal rules, regulations and policy procedures for the property known as the Maple Grove Grange; and

**WHEREAS**, the Grange Security Policy previously established by Ordinance No. 2017-63 – Amended is no longer relevant; and

**WHEREAS**, as a result of the transfer of the Dispatch Center to the Emergency Operations Center (EOC) the Police Department is not currently staffed twenty-four hours a day and the provision of having key(s) to the Grange signed out at the Police/Dispatcher Office with ID, date, time and purpose with a 24-hour limit for a key to be signed out at one time is no longer enforceable; and

**WHEREAS**, the lockbox currently located in Dispatch does not make it user friendly for the Girl Scout troops who currently use the Grange as they now must make a trip to the Police Department to get the key, even if they just need to check an availability date on the calendar located within the Grange; and

**WHEREAS**, in September 2017, Council adopted 2017-64 which was amended and adopted by Council in December 2017, authorizing the Acting Law Director to request that the Ohio Ethics Commission investigate allegations related to the unauthorized usage of municipal property, namely the Grange; and

**WHEREAS**, on September 28, 2018, The Ohio Auditor of State received a complaint from the Council President, asking that the Grange activities be investigated and on October 4, 2018, the Auditor designated a preliminary investigation be performed by the Special Audit Task Force; and

**WHEREAS**, after a seven-month investigation, a Summary of Preliminary Examination Results and Recommendations was issued by Investigator James Mendolera on May 31, 2019, stating “The Maple Grove Grange building was used in accordance with the City’s informal policy” and “did not identify any improper usage of the building,” and

**WHEREAS**, having had the building virtually vacant since the investigation was completed, coupled with the lack of improprieties noted in the Auditor of State's report, the City should now proceed with making the building available again, once again overseen by Mayor-appointed curators serving under the Mayor's guidance.

***NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, LAKE COUNTY, STATE OF OHIO, THAT:***

**SECTION 1.** The use of the Maple Grove Grange, hereby known as the "Grange" shall be subject to the following regulations:

- (a) The Mayor shall appoint up to three (3) caretakers who will be assigned for the operation, upkeep, scheduling and management of the building activities. The caretakers shall serve a term of six (6) years. Of the Commission members first appointed by the Mayor, one (1) shall be appointed for a term of six (6) years; one (1) shall be appointed for a term of four (4) years; and one (1) shall be appointed for a term of two (2) years. Thereafter, appointments shall be made at the termination of each member's term of office, and each appointment shall be for a term of six (6) years. The term may be renewed upon the Mayor's discretion. The caretakers (agents for the City of Willoughby Hills) and all other associated volunteers shall have the right and privilege of indemnification by the City, as required by Chapter 111 of the Codified Ordinances of the City of Willoughby Hills, Ohio Revised Code Sections 2744 and 1729.031. The caretakers shall provide a written report to the Mayor every six months. The report will include all of the dates, times, groups and purpose for each meeting or gathering.
- (b) The only organizations to be able to be on site of the Grange are the Boy and Girl Scouts of America who are sanctioned through the Recreation Department and are identified as non-profit groups. The Scouts are permitted to conduct their troop and leadership meetings and any other scout-related function within the scope of their mission.
- (c) Any other non-profit group interested in utilizing the Grange for meetings must be approved by the Mayor. Proof of sanctioning is required prior to the caretakers allowing the group access to the building.
- (d) In the event of a one-time emergency meeting of any City or non-City group that is not sanctioned, the Mayor shall have the authority to allow access to the Grange building but shall not provide keys to any member at that time.
- (e) Caretakers shall adhere to the City Key Policy and are responsible for form completion and key distribution and return of keys. Keys will no longer be maintained in the Police Dispatch area. Under the direction of the Mayor, access to the Grange may be permitted in the future via a fob keyless entry system, keypad, lock box, or any other means of secured access which will follow the same guidelines provided in the City Key Policy.
- (f) The caretakers shall work under the direction of the Road Superintendent who serves as City Facilities Manager in ensuring that general maintenance and safety measures of the building are met.
- (g) Any repairs or alterations to the Grange shall require the proper building permits and must be done by licensed contractors registered with the City building department.
- (h) The City shall provide a permanent phone landline in the building to aid in fire detection and alarm capability. Fire and safety devices shall be installed and maintained (recorded on the report provided to the Mayor) by the Road Superintendent and/or caretakers.

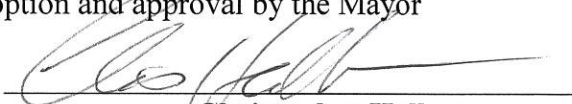
- (i) There shall be no overnight activities and/or sleepovers held in the Grange upon the direction of the City's insurance carrier.

**SECTION 2.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 3.** Ordinance No. 2017-63 – Amended and Ordinance No. 2018-42 are hereby repealed and rescinded in their entirety.

**SECTION 4.** This ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as providing for the usual daily operation of a municipal department and further being to immediately update regulations required for the security and safety of the Maple Grove Grange; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor

PASSED: May 14, 2020

  
Christopher Hallum  
President of Council

Submitted to the Mayor for his approval  
on this 15<sup>th</sup> day of May, 2020

Approved by the Mayor

May 15, 2020

ATTEST:

  
Joanne E. Monaco  
Clerk of Council

  
G. Andrew Gardner  
Mayor